

## Message Text

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PAGE 01 USBERL 01133 281231Z  
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07  
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15  
USIA-06 COME-00 EB-08 ACDA-07 IO-13 /086 W  
-----282354Z 027733 /70

R 281214Z APR 77  
FM USMISSION USBERLIN  
TO AMEMBASSY BONN  
INFO SECSTATE WASHDC 4468  
AMEMBASSY BERLIN UNN  
AMEMBASSY LONDON  
AMEMBASSY MOSCOW  
AMEMBASSY PARIS  
USMISSION USNATO

C O N F I D E N T I A L USBERLIN 1133

E.O.11652: GDS  
TAGS: PGOV, PFOR,GW, WB  
SUBJECT: BERLIN: EUROPEAN PATENT OFFICE ( EPO )

REFS: A) BONN 7001, B) BONN A-47

1. PRIOR TO RECEIPT OF REFTEL A, AK LEGAL COMMITTEE  
WAS IN THE PROCESS OF CONSIDERING DRAFT AGREEMENT  
BETWEEN FRG AND EPO WHICH WOULD LOCATE AN EPO OFFICE  
IN MUNICH AND BRANCH OFFICE IN BERLIN. ARTICLE 8  
WAS SOURCE OF CONCERN TO LEGAL COMMITTEE PRECISELY  
FOR REASON CITED IN REFTEL A THAT IDENTITY CARDS FROM  
DPO WOULD BE CERTIFIED BY FRG. ON ONE HAND, LEGAL  
COMMITTEE SAW NO NEED FOR SUCH CERTIFICATION AND ON  
THE OTHER SUCH CERTIFICATION IMPLIED FRG AUTHORITY  
WITH RESPECT TO THE GRANTING OF PRIVILEGES AND  
IMMUNITIES TO PERSONS IN BERLIN WHICH FRG DOES NOT  
POSSESS. LEGAL COMMITTEE CONCLUDED THAT CERTIFICATION  
PROVISION SHOULD BE DELETED, OR IN THE ALTERNATIVE  
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THAT AGREEMENT WOULD REFLECT THAT CERTIFICATION WOULD  
BE DONE BY AK.DELETION OF CERTIFICATION PROVISION  
WAS STRONG PREFERENCE.

2. BRITISH LEGAL ADVISER AS CURRENT CHAIRMAN LEGAL  
ADVISER WILL CONVEY THESE VIEWS TO UK BONN GROUP REP  
FOR BONN GROUP CONSIDERATION.

3. SENAT OFFICIAL WHO PROVIDED LEGAL COMMITTEE WITH TEXT OF DRAFT FRG-EPO AGREEMENT WAS AWARE OF OUR CONCERNS ON ARTICLE 8. IT IS LIKELY THAT HE ADVISED FRG.

4. WHILE STORY IS SKETCHY, IT APPEARS THAT CERTIFICATION PROCEDURE ORIGINATEE IN THE NETHERLANDS WHICH IS THE LOCUS OF EITHER A BRANCH OR THE MAIN OFFICE OF EPO. WE WERE ADVISED THAT DUTCH LAW OR PRACTICE REQUIRES SUCH CERTIFICATION. IN INFORMAL DISCUSSIONS WITH SENAT OFFICIALS, LEGAL COMMITTEE WAS LED TO BELIEVE THAT NO OTHER INTERNATIONAL ORGANIZATIONS IN BERLIN WERE SUBJECT TO SUCH A CERTIFICATION PROCEDURE. NONETHELESS, IN RESPONSE TO PARA 5 REFTEL A, MISOFF SPECIFICALLY ASKED SENAT WHETHER DOCUMENTATION OF PERSONNEL OF INTERNATIONAL ORGANIZATIONS IN BERLIN IS CERTIFIED ALONG LINES OF ARTICLE 8 OR PARA 5 REFTEL A. SENAT RESPONSE WAS NEGATIVE. SENAT ALSO FAVORS DELETION ARTICLE 8 CERTIFICATION PROCEDURE.  
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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PERSONNEL, BERLIN ACCESS, IDENTITY DOCUMENTS, ESTABLISHMENT OF OFFICES, PATENTS, BERLIN QUADRIPARTITE MATTERS, TRAVEL CONTROLS  
**Control Number:** n/a  
**Copy:** SINGLE  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977USBERL01133  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
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**Litigation History:**  
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**Message ID:** 0cbd2fa7-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION EUR  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** 77 BONN 7001, 77 BONN A-47  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
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**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2843308  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** BERLIN: EUROPEAN PATENT OFFICE ( EPO )  
**TAGS:** PGOV, PFOR, GE, WB, EUROPEAN PATENT OFFICE  
**To:** BONN  
**Type:** TE  
**vdkgvkey:** odbc://SAS/SAS.dbo.SAS\_Docs/0cbd2fa7-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
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22 May 2009  
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